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Intellectual Property Attorneys

APR 21 2005

Fax

To:
 Art Unit 3623
 USPTO

From: Barbara Courtney
 Shemwell Gregory & Courtney LLP
 Phone: 408-236-6647
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Fax: **(703) 872-9306** Pages: 25 including cover

Phone: **(571) 272-1819** Date: April 21, 2005

Re: **Application Serial No. 09/825,589**
Art Unit 3623 CC:
Examiner Jonathan G. Sterrett

Atty Docket No. **BLPU.P001**

Urgent For Review Please Comment Please Acknowledge

Attorney Docket No. **BLPU.P001****Patent****Transmittal of Office Action Response***Certification Under 37 C.F.R. §1.8(a)*

Transmitted to USPTO Central Facsimile No.

April 21, 2005

Date of Transmission

703-872-9306

I hereby certify that this document, and any other accompanying documents referred to herein are being transmitted via facsimile to the United States Patent Office to the facsimile number and on the date indicated above.

Barbara B. Courtney

(Print Name of Person Transmitting Facsimile)

(Signature of Person Transmitting Facsimile)

1. Response to the Office Action mailed December 22, 2004 (20 pages);
2. Petition for Extension of Time (duplicate, 2 pages); and
3. Fee Transmittal with authorization to charge Deposit Account (duplicate, 2 pages).

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

470.00

Complete If Known

Application Number	09/825,589
Filing Date	04/03/2001
First Named Inventor	David Andre
Examiner Name	Jonathan G. Sterrett
Art Unit	3623
Attorney Docket No.	BLPU.P001

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order None Other (please identify): _____ Deposit Account Deposit Account Number: 501914 Deposit Account Name: Sherwell Gregory & Court

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	Fee (\$)
44	- 20 or HP =	41	x 50 =	150	50
HP = highest number of total claims paid for, if greater than 20.				200	100
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	360	180
4	- 3 or HP =	3	x 200 =	200	_____
HP = highest number of independent claims paid for, if greater than 3.				Multiple Dependent Claims	Fee (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 =	/ 50 =	(round up to a whole number) x	_____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition for extension of time, one month

Fee Paid (\$)

120

SUBMITTED BY

Signature

Registration No.
(Attorney/Agent) 42,442

Telephone 408-236-6641

Name (Print/Type)

Barbara B. Courtney

Date 04/21/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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Examiner Name	Jonathan G. Sterrett
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120

SUBMITTED BY

Signature		Registration No. 42,442 (Attorney/Agent)	Telephone 408-236-6647
Name (Print/Type)	Barbara B. Courtney		Date 04/21/2005

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Atty. Docket No.: BLPU.P001

*Patent 09/825,589***AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Please charge deposit account 501914 for any underpayments in connection with
this Office Action response.

Respectfully submitted,
Shemwell Gregory & Courtney LLP

Date: April 21, 2005


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